

UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF MASSACHUSETTS

JOHN CARR,

Plaintiff,

v.

SIEMENS DEMATIC CORP. and
AMEC CONSTRUCTION
MANAGEMENT, INC.,

Defendants.

CIVIL ACTION NO. 05-10445MLW

JOINT MOTION TO CONTINUE STATUS CONFERENCE

All parties in this matter, AMEC Construction Management, Inc. (“AMEC”), Sieman’s Dematic Corp. (“Sieman’s”), and Plaintiff John Carr (collectively, “the Parties”) hereby request a continuance of the conference presently scheduled for March 14, 2006 before Judge Collings in the above-captioned matter. As grounds for this request, the Parties state the following:

1. On September 12, 2005, this Court issued a Scheduling Order pursuant to Fed. R. Civ. P. 16(b), indicating that the parties are to have completed discovery necessary to evaluate the case for settlement purposes by March 1, 2006.
2. On January 8, 2006, this Court issued an electronic Notice of Further Conference, scheduled for March 14, 2006.
3. To date, the Parties have engaged in limited preliminary discovery. However, the discovery process has met with unforeseen delay and has not progressed as expeditiously as expected. For this reason, the Parties request an adjournment of the scheduled

conference so that they may complete the initial discovery necessary to evaluate the case for settlement purposes.

4. The Parties are confident that a short continuance of forty-five days will offer enough time to engage in the necessary discovery and allow them to better assess the possibility of settlement.

Wherefore, the Parties respectfully move this Court to continue the March 14, 2006 conference.

Respectfully submitted,

/s/Gabriel D. O'Malley
Gabriel D. O'Malley (BBO #651432)
ROPES & GRAY LLP
One International Place
Boston, MA 02110
(617) 951-7000
(617) 951-7050 (fax)

Attorney for Defendants AMEC Construction
Management, Inc. and Siemens Dematic Corp.

/s/Daniel M. Suprenant (signed with assent by G. O'Malley)
Daniel M. Suprenant (BBO#634616)
Keches & Mallen, P.C.
122 Dean Street
Taunton, MA 02780
(508) 822-2000

Attorney for Plaintiff John Carr

Dated: February 24, 2006

CERTIFICATE OF SERVICE

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non registered participants on February 24, 2006.

/s/Gabriel D. O'Malley
Gabriel D. O'Malley